REMARKS

No claims have been added, canceled or amended.

Accordingly, claims 1-5, 7, 8, 10, 11 and 13-26 are currently pending in the application.

The specification has been amended to overcome the Examiner's objection.

Claims 1 and 19 stand rejected as being unpatentable over Ogden (U.S. Patent No. 5,727,336). This rejection is traversed as follows.

ogden does not disclose an inner fabric layer followed by an open-cell foam and an outer fabric layer, nor an inner fabric layer followed by a foam and backed by a nonwoven top sheet. At column 12, lines 60-63, Ogden states that cushioning layer 56 is made of cross-linked polyethylene or other heat-formable foam material. In response to Applicant's argument that Ogden does not disclose an open-cell foam, the Examiner contends that Ogden at column 11, lines 10-35 teaches that the foam material may be polyurethane or sponge rubber among other foams. The Examiner alleges that sponge rubber is an open-cell foam. This is incorrect. As dislosed in the attached description (Appendix A), sponge rubbers are closed cell rubbers which are impervious to air, water, and dust.

Serial No. 08/887,847 BAY-210

Pursuant to MPEP §2001.06(c), Applicant hereby informs the Patent Office that the patent which issued from a related application, U.S. Patent No. 6,048,810, is involved in litigation in the United States District Court for the District of Maine (Baychar, Inc. et al. v. Frisby Technologies, Inc. et al., Civil Docket No. CV-01-28-B). Any material information arising from this litigation will promptly be brought to the attention of the Patent Office.

Examination is respectfully requested.

Respect fully submitted,

Shrinath Malur

Registration No. 34,663 Attorney for Applicant

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Date: June 4, 2001

PPENDIX A

SPONGE RUBBER

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Sponge Rubber

Sponge rubbers are closed cell rubbers which are impervious to air, water, and dust. They are most commonly used for weather stripping and gasketing applications. Sponge rubbers are formed by combining ingredients and then molding the compound under heat and pressure. During the molding process, gas is used to create the unique cellular structure of the sponge. An array of compounds, such as Neoprene, EPDM, SBR, and Vinyl Nitrile are available to meet specific needs such as resistance to heat, flame, ozone or petroleum products.



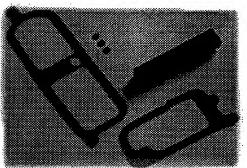
- Weather stripping for automotive glass applications
- Gasketing for acoustical/speaker mounts
- Sealing exterior lighting (headlights/tail lamps)
- HVAC/Air handling system seals and thermal insulation
- Vibration isolators for interior automotive components

Available Sizes:

Thickness: .1.6mm - 25mm Width: 2mm - 1000mm Length: 2mm - 1700M

Piqua Technologies is a leading applications solutions provider when it comes to fabricating sponge rubber. Our state-of-the-art production facility and application engineers have extensive experience developing unique solutions. We welcome examining your manufacturing challenges. To see examples of our applications solutions, click here: CUSTOM FABRICATING. Or, **CONTACT US** to discuss your specific sponge rubber requirements.





Polymer	oprene-EPDM- er SBR Blend			EPT EPDM				prene
***************************************	(f. 42 F)	RE 43 EI		HE 41	RE 42	RE 43		PE 42 E
	CE 42 EI 2A2/2C2	2A3/2C3		2A1 F2	2A2 F2		2C1 El F2	SCE 42 EI
ASTM D-1056-85	F1	F1	24172	2A1 F2	2A2 F2	2A3 F2	201 21 72	202 El F2
MIR-61308			*********	Grade C	Grade C	Grette C	Caracte A	Grade A of
Type 2				Set	Soft	Med	or B Soft	
25%	5-9	9-13	2-5	2-5	5-9	9-13	2-5	5-9
Compression								
Deflection								
(PSI)			enganana ana					************
Shore 00	40-60	50-70	15-35	30-50	40-60	50-70	30-50	40-60
Durometer								
(Approx.)	7-11	8-13	4-7	9-14	9-14	12-20	7-13	8-14
Density (Approx.	7-11	0-13	4-1	5-14	3-14	12-20	7-13	0-14
p.c.f)								
Water	5	5	5	6	5	5	5	5
Absorption by								
Weight								
(Max.)%								
Temperature	-70 to	-70 to	-90 to	-90 to	-90 to	-90 to	-70 to	-70 to
Range	225 F	225 F	257 F	257 F	257 F	257 F	200 F	200 F
Weather	Good	Good	Good	E-COMMO	Excellent	Excellent	Excellent	Excellent
Resistance	5	5	5	5	5	5	5	5
Linear shrinkage	3	3	3	3	3	9	•	J
(Max)% 7								
days at 158								
degrees F								
Full B							150	150
Resistance %								
(Maximum								
Weight								
(ncrease)		70	20	60		70	60	70
Tensile	50	70	30	60	65	70	60	70
Strength (PSI)								
(Typical)								
Elongation %	150	120	150	150	180	200	150	130
(typical)								
(V) Caab Processing								
FM VSS#302	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass
MIR-61308	rass	r d 33	. 433	. 433	. 433	. 433	Pass	Pass
UL 94 HBF	Pass	Pass	Pass		×	***************************************	Pass Pass	Pass Pass
UL 94 HFI	Pass	Pass	Pass				Fema	FGDD
Fungtis		T GES	i					
Resistance								
ASTM								
G21-70			Š.					

The technical data contained in this chart is for information purposes only. Please contact Piqua's Program Development Department to discuss product suitability for individual applications.

CONTACT INFORMATION

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